

added as cosponsors of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. RES. 18

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. Res. 18, a resolution expressing sympathy for the victims of the devastating earthquake that struck El Salvador on January 13, 2001.

SENATE CONCURRENT RESOLUTION 9—CONDEMNING THE VIOLENCE IN EAST TIMOR AND URGING THE ESTABLISHMENT OF AN INTERNATIONAL WAR CRIMES TRIBUNAL FOR PROSECUTING CRIMES AGAINST HUMANITY THAT OCCURRED DURING THAT CONFLICT

Mr. HARKIN (for himself, Mr. FEINGOLD, Mr. REED, Mr. LEAHY, Mr. KENNEDY, Mr. WELLSTONE, and Mr. KOHL) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations.

S. CON. RES. 9

Whereas the people of East Timor experienced an unprovoked and violent attack in the aftermath of a peaceful referendum in which they cast an overwhelming vote for national independence;

Whereas at least 1,000 people were killed, thousands more people were injured, 500,000 people were displaced, much of the infrastructure was destroyed, and scores of communities and villages were completely destroyed in East Timor by roving bands of militias and paramilitary organizations;

Whereas some Indonesian military officers and personnel along with some Indonesian civilian police helped to train and arm the militias and paramilitary organizations before setting them loose to terrorize the people of East Timor and destroy their homes, businesses, and personal property;

Whereas the Indonesian ranking military officers and civilian police officers not only failed to keep the peace in East Timor once the referendum on national independence was conducted but also, in some cases, actually incited violence and participated in widespread killing, rape, forced displacement, mayhem, and wholesale property destruction;

Whereas numerous militia leaders who have been implicated in various crimes against humanity in East Timor continue to operate with impunity in West Timor and throughout Indonesia and none have been formally charged and brought to trial in Indonesia for the wave of violence, murder, rape, and terror inflicted on the people of East Timor, in particular, in preparation for, the conduct of, or the aftermath of the 1999 referendum;

Whereas Indonesia is a party to the Universal Declaration on Human Rights and other international human rights agreements and is legally obligated to comply with those agreements;

Whereas the continuing failure to investigate, indict, prosecute, and secure convictions and appropriate punishment for those responsible for so much death, violence, and destruction among the people of East Timor continues to fuel an environment of terror,

fear, and crime in East and West Timor and along their common border, thus trapping tens of thousands in squalid refugee camps and preventing their safe return to their homes;

Whereas the Indonesian government has failed to follow through on its agreement to provide evidence and accused criminals to the justice system of the United Nations Transitional Administration in East Timor, creating circumstances whereby lower-level East Timorese militia members are brought to justice in East Timor, while East Timorese militia leaders and Indonesian military officers with command responsibility reside in Indonesia without fear of prosecution;

Whereas the Indonesian government has yet to take all necessary steps to create a court with authority to prosecute past crimes under internationally-recognized human rights and humanitarian law, and the National Human Rights Commission of Indonesia has limited authority to only investigate such violations;

Whereas, in August, 2000, Indonesia's upper house of parliament passed a constitutional amendment prohibiting retroactivity in prosecutions;

Whereas repeated assurances to the international community and to Congress by the Indonesian government of impending action against the perpetrators of crimes against humanity in East Timor have produced few noticeable or substantive results; and

Whereas Congress is deeply disturbed that gross violations of the human rights of the people of East Timor and United Nations personnel rendering basic humanitarian services in East and West Timor have gone unpunished since January 1, 1999, and the perpetrators have not been brought to justice: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That (a) Congress—

(1) deplores the widespread and systematic violence that—

(A) has occurred in East Timor and in the refugee camps of West Timor since January 1, 1999; and

(B) has resulted in many murders, rapes, and the near-total destruction of East Timor's infrastructure and numerous villages on that troubled island;

(2) decries the continued existence of an environment of intimidation, misinformation, instability, terror, and fear among the people living in the refugee camps housing tens of thousands of displaced people, many of whom wish to return to East Timor, but are too scared to freely repatriate and return safely to their home communities;

(3) denounces the leaders of the militias and paramilitary groups who are responsible for the violent attacks, pillaging, and mayhem that has caused so much suffering and property destruction in East Timor as well as their accomplices in Indonesia inside and outside of that sovereign country's armed forces; and

(4) continues to support the courageous efforts of those in Indonesia working toward domestic prosecutions of the individuals most responsible for the post-referendum violence, but recognizes that these efforts currently face overwhelming obstacles.

(b) It is the sense of Congress that the President and the Secretary of State should—

(1) endorse and support the establishment of an international criminal tribunal for the purpose of prosecuting culpable Indonesian military and police officers and personnel, leaders of local militias and paramilitary organizations, and other individuals who are

responsible for crimes against humanity in East Timor, including systematic murder, rape, and terrorism, the unlawful use of force, and crimes against United Nations personnel deployed in East Timor and in the refugee camps of West Timor;

(2) direct the pertinent agencies of the executive branch—

(A) to begin collecting and organizing such information (including from intelligence sources), and to provide such appropriate resources, as will be necessary to assist in preparation of indictments and prosecution of cases before an international criminal tribunal; and

(B) to undertake any additional inquiries and investigations that would further such efforts; and

(3) work actively and urgently within the international community for the adoption of a United Nations Security Council resolution establishing an international criminal court for East Timor.

Mr. HARKIN. Mr. President, I am joined today by Senators FEINGOLD, REED, LEAHY, KENNEDY, and WELLSTONE in submitting legislation calling for the establishment of an International War Crimes Tribunal for East Timor. We recently passed the first anniversary of the date when a Special United Nations Commission of Inquiry into the Violence and Destruction in East Timor first recommended this course of action.

As many of us know, back in 1999, after many years of military occupation, the people of East Timor were suddenly and brutally attacked immediately after they peacefully cast their overwhelming vote for national independence.

At least 1,000 people were murdered and thousands more were injured. 500,000 people were displaced. And scores of communities and villages in East Timor were destroyed by roving bands of militias and paramilitary organizations. These militias and paramilitary organizations were trained and armed by Indonesian military officers and personnel along with the Indonesian civilian police.

Around this time last year, UN Secretary General Kofi Annan urged us to give the Government of Indonesia time to find and punish these guilty individuals in Indonesia and to demonstrate their cooperation on related criminal investigations and prosecutions with authorities in East Timor and the United Nations Transition Authority in East Timor (UNTAET).

But as I stand here today, not a single individual has been charged or brought to trial in Indonesia for the wave of violence, murder, rape, and terror inflicted on the people of East Timor in preparation for and the conduct of the 1999 referendum and its aftermath. A number of militia leaders were implicated in these heinous crimes—but they have never been formally charged and brought to trial in Indonesia or East Timor. They continue to operate with impunity in West Timor and throughout Indonesia.

This is unconscionable. We have shown nothing but patience, and they have simply done nothing. The time for sitting back and waiting is over, and we must now take decisive and concrete steps to ensure that justice is done.

This legislation I am introducing today is carefully modeled after similar legislation that established the International War Crimes Tribunals for Iraq, the Balkans, and Rwanda. It consists of three parts:

First, it calls upon the Bush Administration to endorse and support the establishment of an international criminal tribunal to prosecute all individuals who are responsible for egregious human rights abuses in East Timor. These abuses include crimes against humanity in East Timor, including systematic murder, rape, and terrorism, the unlawful use of force, and crimes against United Nations personnel deployed in East Timor and in the refugee camps of West Timor.

Second, it calls upon the Bush Administration to direct pertinent U.S. Government agencies to begin collecting and organizing the necessary evidence and information needed to indict and prosecute these war criminals before an international tribunal.

Finally, the legislation calls upon the Bush Administration to work actively and urgently within the international community to adopt a UN Security Council resolution establishing an international tribunal on East Timor.

In the course of human events, Mr. President, wherever and whenever conflict has resulted in great bloodshed, human suffering, and destruction, there has been no real peace established without real justice. The people of East Timor deserve peace—and to establish peace, we must first seek justice.

SENATE CONCURRENT RESOLUTION 10—EXPRESSING THE SENSE OF THE SENATE REGARDING THE REPUBLIC OF KOREA'S UNLAWFUL BAILOUT OF HYUNDAI ELECTRONICS

Mr. CRAIG (for himself, Mr. LOTT, Mr. CRAPO, and Mr. BENNETT) submitted the following concurrent resolution; which was referred to the Committee on Finance.

S. CON. RES. 10

Whereas the Government of the Republic of Korea over many years has supplied aid to the Korean semiconductor industry enabling that industry to be the Republic of Korea's leading exporter;

Whereas this assistance has occurred through a coordinated series of government programs and policies, consisting of preferential access to credit, low-interest loans, government grants, preferential tax programs, government inducement of private sector loans, tariff reductions, and other measures;

Whereas government assistance to the semiconductor industry is part of the preferences, privileges, and support given by the Korean government to corporate conglomerates, known as chaebols, over several decades;

Whereas the policy of providing assistance to chaebols has resulted in trade-distorting spending and capacity expansion and resulted in massive corporate debt;

Whereas in December 1997, the United States, the International Monetary Fund (IMF), other foreign government entities, and a group of international financial institutions assembled an unprecedented \$58,000,000,000 financial package to prevent the Korean economy from declaring bankruptcy;

Whereas as part of that rescue package, the Republic of Korea agreed to put an end to corporate cronyism, and to overhaul the banking and financial sectors;

Whereas Korea also pledged to permit and require banks to run on market principles, to allow and enable bankruptcies and workouts to occur rather than bailouts, and to end subsidies;

Whereas the Republic of Korea agreed to all of these provisions in the Stand-by Arrangement with the IMF dated December 3, 1997;

Whereas section 602 of the Foreign Operations, Export Financing, and Related Agencies Appropriations Act, 1999, as enacted by section 101(d) of Division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act (Public Law 105-277; 112 Stat. 2681-220) specified that the United States would not authorize further IMF payments to Korea unless the Secretary of the Treasury certified that the provisions of the IMF Standby Arrangement were adhered to;

Whereas the Secretary of the Treasury certified to Congress on December 11, 1998, April 5, 1999, and July 2, 1999 that the Stand-by Arrangement was being adhered to, and assured Congress that consultations had been held with the Government of the Republic of Korea in connection with the certifications;

Whereas the Republic of Korea has acceded to the World Trade Organization, and to the Agreement on Subsidies and Countervailing Measures (as defined in section 101(d)(12) of the Uruguay Round Agreements Act);

Whereas the Agreement on Subsidies and Countervailing Measures specifically prohibits export subsidies, and makes actionable other subsidies bestowed upon a specific enterprise that causes adverse effects;

Whereas Hyundai Electronics is a major exporter of semiconductor products from the Republic of Korea to the United States; and

Whereas the Republic of Korea has now engaged in a massive \$2,100,000,000 bailout of Hyundai Electronics which contravenes the commitments the Government of the Republic of Korea made to the IMF, the World Trade Organization and other agreements, and the understandings and certifications made to Congress under the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) believes strongly that the relationship between the United States and Republic of Korea has been and will continue to be harmed significantly by the bailout of a major exporter of products from Korea to the United States;

(2) calls on the Republic of Korea to immediately end the bailout of Hyundai Electronics;

(3) calls on the Republic of Korea to comply immediately with its commitments to

the IMF, with its trade agreements, and with the assurances it made to the Secretary of the Treasury;

(4) calls on the Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative to take immediately such action as is necessary to assure that the unlawful bailout by the Republic of Korea is stopped, and its effects fully offset or reversed; and

(5) calls on the United States Trade Representative and the Secretary of Commerce to monitor and report to Congress on steps that have been taken to end this bailout and reverse its effects.

Mr. CRAIG. Mr. President, I rise to submit a concurrent resolution expressing the sense of the Senate regarding the Republic of Korea's unlawful bailout of Hyundai Electronics, an issue of great concern to me and, I believe, should be of concern to the Senate. I rise to introduce this resolution with my colleagues Mr. LOTT, Mr. CRAPO, and Mr. BENNETT.

In 1997, the International Monetary Fund, in cooperation with the United States and a group of financial institutions, put together an unprecedented \$58 billion financial package to prevent the Korean economy from bankruptcy. As a part of that rescue package, the Korean government agreed to implement specific reforms aimed at addressing the problems that had led to the economic crisis in the first place.

In recent weeks, the Korean government has decided to break completely with the policies that it has adopted over the past three years and is promising to provide a \$2.1 billion bailout of Hyundai Electronics. This action not only runs contrary to the stated policy of the Korean government but also flies in the face of the government's clear assurances that this sort of wholesale bailout would not happen.

This resolution is necessary because the present actions of the Korean government are a flagrant violation of Korea's international commitments. The Hyundai bailout violates Korea's International Monetary Fund Agreement; the World Trade Organization Agreement on Subsidies and Countervailing Measures; U.S. legislation to stop subsidies to the semiconductor industry in Korea; Section 301 of the U.S. trade laws, and U.S. countervailing duty laws. This unlawful and unwise bailout must be stopped.

The conditions of the IMF Agreement are clear. The corporate governance provision of the IMF Agreement required Korea to end government-directed lending companies; to stop government subsidized support or tax privileges to bail out individual companies; to reduce the high debt-to-equity ratios of corporations; to reduce mutual guarantees within conglomerates; and to permit Korean bankruptcy laws to operate without interference from the government.

The government's special waiver of the debt ceiling for Hyundai Electronics is a violation of Korea's commitment not to interfere in the lending